

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SEAN KING, individually and on behalf of all other similarly situated employees,

Plaintiffs,

VS.

WEST CORPORATION,

Defendant.

8:04CV318

MEMORANDUM AND ORDER

On December 1, 2005, Magistrate Judge Gossett entered an order (filing 149) that, among other things, granted Defendant's motion to stay summary judgment proceedings pending resolution of class certification issues. Plaintiffs have filed a timely statement of appeal (filing 152) challenging the stay order.

Upon careful review, conducted pursuant to 28 U.S.C. § 636(b)(1)(A), Fed. R. Civ. P. 72(a), and NECivR 72.2, I find that the challenged order is not clearly erroneous or contrary to law. Therefore,

IT IS ORDERED that:

1. Plaintiffs' statement of appeal (filing 152) is denied.
2. The Magistrate Judge's order entered on December 1, 2005 (filing 149), is sustained and shall not be disturbed.

December 21, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge